

106TH CONGRESS
1ST SESSION

S. 1326

To eliminate certain benefits for Members of Congress, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 1, 1999

Mr. FRIST introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To eliminate certain benefits for Members of Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Citizen Congress Act”.

5 **SEC. 2. LIMITATION ON RETIREMENT COVERAGE FOR MEM-**
6 **BERS OF CONGRESS.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, effective at the beginning of the Congress next
9 beginning after the date of the enactment of this Act, a
10 Member of Congress shall be ineligible to participate in

1 the Civil Service Retirement System or the Federal Em-
 2 ployees' Retirement System, except as otherwise provided
 3 under this section.

4 (b) PARTICIPATION IN THE THRIFT SAVINGS
 5 PLAN.—Notwithstanding subsection (a), a Member may
 6 participate in the Thrift Savings Plan subject to section
 7 8351 if title 5, United States Code, at anytime during the
 8 12-year period beginning on the date the Member begins
 9 his or her first term.

10 (c) REFUNDS OF CONTRIBUTIONS.—

11 (1) IN GENERAL.—Nothing in subsection (a)
 12 shall prevent refunds from being made, in accord-
 13 ance with otherwise applicable provisions of law (in-
 14 cluding those relating to the Thrift Savings Plan),
 15 on account of an individual's becoming ineligible to
 16 participate in the Civil Service Retirement System or
 17 the Federal Employees' Retirement System (as the
 18 case may be) as a result of the enactment of this
 19 section.

20 (2) TREATMENT OF REFUND.—For purposes of
 21 any refund referred to in paragraph (1), a Member
 22 who so becomes ineligible to participate in either of
 23 the retirement systems referred to in paragraph (1)
 24 shall be treated in the same way as if separated
 25 from service.

1 (d) ANNUITIES NOT AFFECTED TO THE EXTENT
2 BASED ON PRIOR SERVICE.—Subsection (a) shall not be
3 considered to affect—

4 (1) any annuity (or other benefit) entitlement
5 which is based on a separation from service occur-
6 ring before the date of the enactment of this Act (in-
7 cluding any survivor annuity based on the death of
8 the individual who so separated); or

9 (2) any other annuity (or benefit), to the extent
10 provided under subsection (e).

11 (e) PRESERVATIONS OF RIGHTS BASED ON PRIOR
12 SERVICE.—

13 (1) IN GENERAL.—For purposes of determining
14 eligibility for, or the amount of, any annuity (or
15 other benefit) referred to in subsection (d)(2) based
16 on service as a Member of Congress—

17 (A) all service as a Member of Congress
18 shall be disregarded except for any such service
19 performed before the date of the enactment of
20 this Act; and

21 (B) all pay for service performed as a
22 Member of Congress shall be disregarded other
23 than pay for service which may be taken into
24 account under subparagraph (A).

1 (2) PRESERVATION OF RIGHTS.—To the extent
 2 practicable, eligibility for, and the amount of, any
 3 annuity (or other benefit) to which an individual is
 4 entitled based on a separation of a Member of Con-
 5 gress occurring after such Member becomes ineli-
 6 gible to participate in the Civil Service Retirement
 7 System or the Federal Employees’ Retirement Sys-
 8 tem (as the case may be) by reason of subsection (a)
 9 shall be determined in a manner that preserves any
 10 rights to which the Member would have been enti-
 11 tled, as of the date of the enactment of this Act, had
 12 separation occurred on such date.

13 (f) REGULATIONS.—Any regulations necessary to
 14 carry out this section may be prescribed by the Office of
 15 Personnel Management and the Executive Director (re-
 16 ferred to in section 8401(13) of title 5, United States
 17 Code) with respect to matters within their respective areas
 18 of responsibility.

19 (g) DEFINITION.—In this section, the terms “Mem-
 20 ber of Congress” and “Member” have the meaning of the
 21 term “Member” as defined under section 8331(2) or
 22 8401(20) of title 5, United States Code.

23 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
 24 tion shall be considered to apply with respect to any sav-

ings plan or other matter outside of subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

SEC. 3. DISCLOSURE OF ESTIMATES OF FEDERAL RETIREMENT BENEFITS OF MEMBERS OF CONGRESS.

(a) IN GENERAL.—Section 105(a) of the Legislative Branch Appropriations Act, 1965 (2 U.S.C. 104a; Public Law 88–454; 78 Stat. 550) is amended by adding at the end the following new paragraph:

“(5) The Secretary of the Senate and the Clerk of the House of Representatives shall include in each report submitted under paragraph (1), with respect to Members of Congress, as applicable—

“(A) the total amount of individual contributions made by each Member to the Civil Service Retirement and Disability Fund and the Thrift Savings Fund under chapters 83 and 84 of title 5, United States Code, for all Federal service performed by the Member as a Member of Congress and as a Federal employee;

“(B) an estimate of the annuity each Member would be entitled to receive under chapters 83 and 84 of such title based on the earliest possible date to receive annuity payments by reason of retirement (other than disability retirement) which begins after

1 the date of expiration of the term of office such
 2 Member is serving; and

3 “(C) any other information necessary to enable
 4 the public to accurately compute the Federal retire-
 5 ment benefits of each Member based on various as-
 6 sumptions of years of service and age of separation
 7 from service by reason of retirement.”.

8 (b) EFFECTIVE DATE.—This section shall take effect
 9 1 year after the date of the enactment of this Act.

10 **SEC. 4. ELIMINATION OF AUTOMATIC ANNUITY ADJUST-**
 11 **MENTS FOR MEMBERS OF CONGRESS.**

12 The portion of the annuity of a Member of Congress
 13 which is based solely on service as a Member of Congress
 14 shall not be subject to a cost-of-living adjustment under
 15 section 8340 or 8462 of title 5, United States Code.

16 **SEC. 5. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS**
 17 **FOR MEMBERS OF CONGRESS.**

18 (a) PAY ADJUSTMENTS.—Paragraph (2) of section
 19 601(a) of the Legislative Reorganization Act of 1946 (2
 20 U.S.C. 31) is repealed.

21 (b) CONFORMING AMENDMENT.—Section 601(a)(1)
 22 of such Act is amended—

23 (1) by striking “(a)(1)” and inserting “(a)”;

1 (2) by redesignating subparagraphs (A), (B),
2 and (C) as paragraphs (1), (2), and (3), respectively;
3 and
4 (3) by striking “, as adjusted by paragraph (2)
5 of this subsection”.

6 **SEC. 6. ROLLCALL VOTE FOR ANY CONGRESSIONAL PAY**
7 **RAISE.**

8 It shall not be in order in the Senate or the House
9 of Representatives to dispose of any amendment, bill, reso-
10 lution, motion, or other matter relating to the pay of Mem-
11 bers of Congress unless the matter is decided by a rollcall
12 vote.

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